

ASSEMBLY BILL

No. 732

Introduced by Assembly Member Jeffries

February 26, 2009

An act to amend Sections 217, 217.7, 217.8, and 217.9 of the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 732, as introduced, Jeffries. Transportation projects: design-sequencing contracts.

Existing law authorizes the Department of Transportation, until January 1, 2010, to conduct phase 2 of a pilot project through the utilization of design-sequencing contracts, as defined, for the design and construction of not more than 12 transportation projects, which are selected by the Director of Transportation taking into consideration specified geographical considerations.

This bill would extend the operative date of those provisions until January 1, 2012, thereby extending the authority of the department to conduct phase 2 of the pilot project.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 217 of the Streets and Highways Code
- 2 is amended to read:
- 3 217. The following definitions apply for the purposes of this
- 4 article:
- 5 (a) "Design" is a plan completed to a level of 30 percent.

(b) “Design-sequencing” is a method of contracting that enables the sequencing of design activities to permit each construction phase to commence when design for that phase is complete, instead of requiring design for the entire project to be completed before commencing construction.

(c) A “design-sequencing contract” is a contract between the department and a contractor that requires the department to prepare a design and permits construction of a project to commence upon completion of design for a construction phase.

(d) This section shall remain in effect only until January 1, ~~2010~~ 2012, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, ~~2010~~ 2012, deletes or extends that date.

SEC. 2. Section 217.7 of the Streets and Highways Code is amended to read:

217.7. (a) Notwithstanding Chapter 1 (commencing with Section 10100) of Part 2 of Division 2 of the Public Contract Code, except Section 10128 of that code, and Chapter 10 (commencing with Section 4525) of Division 5 of Title 1 of the Government Code, the department may conduct a phase two pilot program to let design-sequencing contracts for the design and construction of not more than 12 transportation projects, to be selected based on criteria established by the director. For the purpose of this article, these projects shall be deemed public works.

(b) In selecting projects for the pilot program authorized under subdivision (a), the director shall attempt to balance geographical areas among test projects as well as pursue diversity in the types of projects undertaken. In this process, the director shall consider selecting projects that improve interregional and intercounty routes.

(c) To the extent available, the department shall seek to incorporate existing knowledge and experience on design-sequencing contracts in carrying out its responsibilities under subdivision (a).

(d) This section shall remain in effect only until January 1, ~~2010~~ 2012, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, ~~2010~~ 2012, deletes or extends that date.

SEC. 3. Section 217.8 of the Streets and Highways Code is amended to read:

1 217.8. (a) Not later than July 1, 2006, and July 1 of each
2 subsequent year during which a contract under the phase two pilot
3 program, as described in Section 217.7, is in effect, the department
4 shall prepare a status report on its contracting methods, procedures,
5 costs, and delivery schedules. Upon completion of all
6 design-sequencing contracts, but in no event later than January 1,
7 2010, the department shall establish a peer review committee or
8 continue in existence the peer review committee created pursuant
9 to former Section 217.4, which was added by Chapter 378 of the
10 Statutes of 1999, and direct that committee to prepare a report for
11 submittal to the Legislature that describes and evaluates the
12 outcome of the contracts provided for in Section 217.7, stating the
13 positive and negative aspects of using design-sequencing as a
14 contracting method.

15 (b) This section shall remain in effect only until January 1, ~~2010~~
16 2012, and as of that date is repealed, unless a later enacted statute,
17 that is enacted before January 1, ~~2010~~ 2012, deletes or extends
18 that date.

19 SEC. 4. Section 217.9 of the Streets and Highways Code is
20 amended to read:

21 217.9. Design-sequencing contracts under the phase two pilot
22 program, as described in Section 217.7, shall be awarded in
23 accordance with all of the following:

24 (a) The department shall advertise design-sequencing projects
25 by special public notice to contractors.

26 (b) Contractors shall be required to provide prequalification
27 information establishing appropriate licensure and successful past
28 experience with the proposed work.

29 (c) This section shall remain in effect only until January 1, ~~2010~~
30 2012, and as of that date is repealed, unless a later enacted statute,
31 that is enacted before January 1, ~~2010~~ 2012, deletes or extends
32 that date.